



# **IDEM Update**

## **Utility Directors Meeting**

October 18, 2016

Carol S. Comer, Commissioner  
Indiana Department of Environmental Management

## IDEM: Protecting Hoosiers and Our Environment While Becoming the Most Customer-Friendly Environmental Agency

IDEM's mission is to implement federal and state regulations to protect human health and the environment while allowing the environmentally sound operations of industrial, agricultural, commercial and government activities vital to a prosperous economy.

# How Does IDEM Protect Hoosiers and Our Environment?

- Developing regulations and issuing permits to restrict discharges to environmentally safe levels.
- Inspecting and monitoring permitted facilities to ensure compliance with the permits.
- Using compliance assistance and/or enforcement when people exceed their permit levels or violate regulations.
- Educating people on their environmental responsibilities.
- Cleaning up contaminated sites to eliminate public exposure to toxics and returning properties to productive use.

# Performance Metrics October 2016

Result

Targets

Comments

## Quality of Hoosiers' Environment

% of Hoosiers that live in counties that meet **air quality standards**

93.04%

100%

80%

Ozone in Clark, Floyd, Greene and LaPorte Counties; Muncie Lead; Sulfur Dioxide in parts of Daviess, Marion, Morgan, Pike and Vigo Counties.

% of **CSO Communities** with approved programs to prevent the release of untreated sewage

98.17%

100%

90%

98+9 (107) out of 99+10 (109).  
Not Gary and Hammond.

% of Hoosiers that receive water from facilities in full compliance with **safe drinking water standards**

98.49%

99%

95%

Still dealing with the implementation of Stage2 Disinfection/Disinfectant ByProducts Rule affecting medium and small size public water systems that sell and purchase water; the Maximum Contaminant Level (MCL) for Total Trihalomethane and Haloacetic Acid cannot be met.

## Permitting Efficiency

Total calendar days accumulated in issuing environmental permits, as determined by state statute\*

Land	25,045	30,388	33,963	35,750 statutory
Air	32,658	52,890	59,112	62,223 statutory
Water	36,380	65,153	72,818	76,650 statutory

\* Places emphasis on back logged permits

## Compliance

Total percentage of compliance observations from regulated customers within acceptable compliance standards\*\*

Inspections	97.28%	97%	75%
Self reporting	96.75%	99%	95%
Continuous monitoring (COM)	99.91%	99.9%	99%

\*\* Tracks observations and not just inspections

# Performance Metrics June 2005

## Quality of Hoosiers' Environment

% of Hoosiers in counties meeting air quality standards	61%	100%	80%	12 counties and 2,408,571 of 6,195,643 residents above standard
% of CSO Communities with approved programs to prevent the release of untreated sewage	4%	100%	20%	75% by 2007 is goal

## Permitting Efficiency Total calendar days accumulated in issuing environmental permits, as determined by state statute\*

Land	100,013	66,565	86,864
Air	511,000	207,000	385,000
Water	301,000	48,000	200,000

\* Places emphasis on back logged permits

## Compliance Total percentage of compliance observations from regulated customers within acceptable compliance standards\*

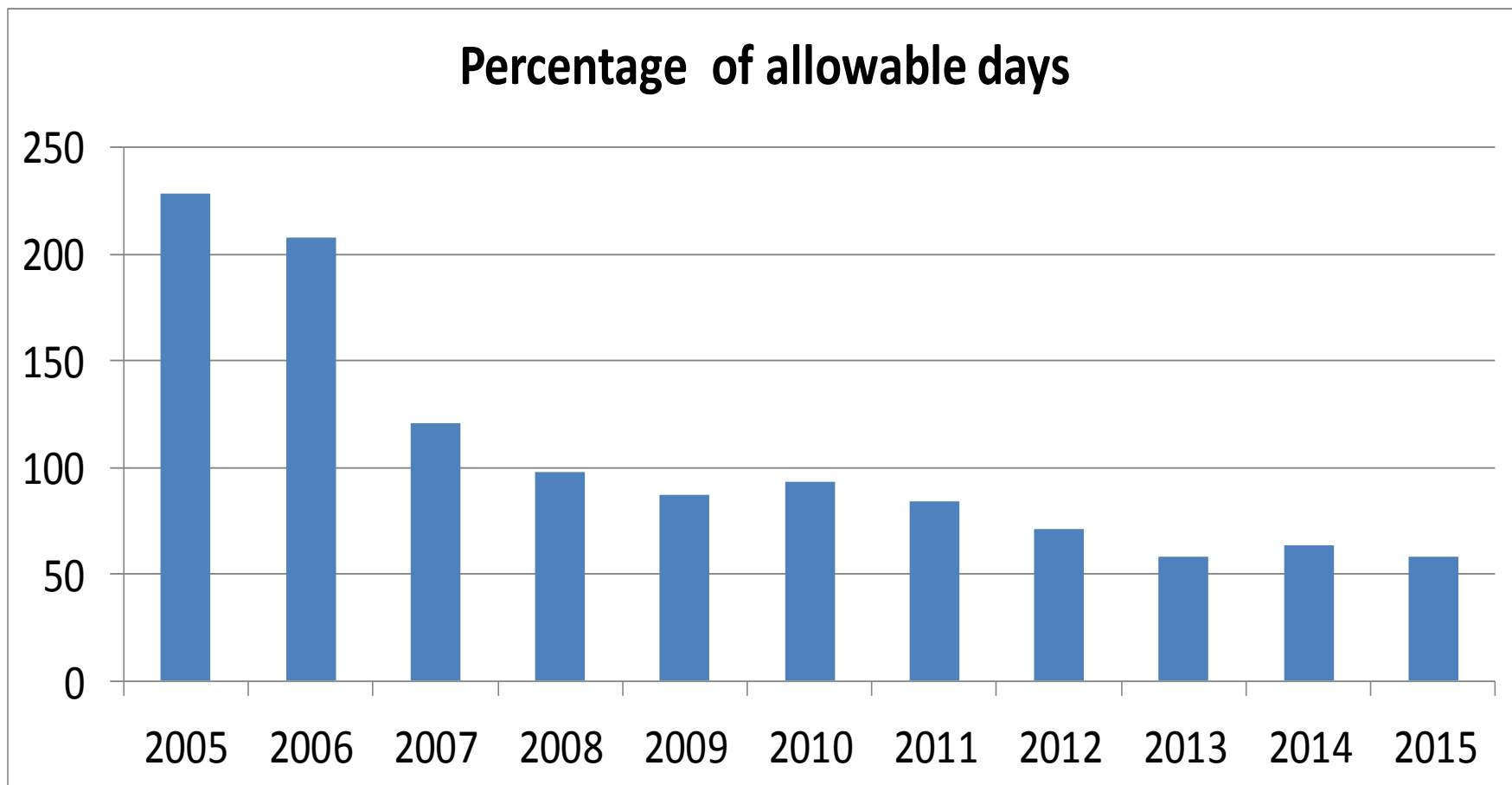
Inspections	95.46%	97%	75%
Self reporting	97.11%	99%	95%
Continuous monitoring (COM)	99.19%	99.90%	98.95%

\* Tracks observations and not just inspections

## Organizational Transformation Budgetary agency dollars spent on **key** outside contracts for core agency functions.

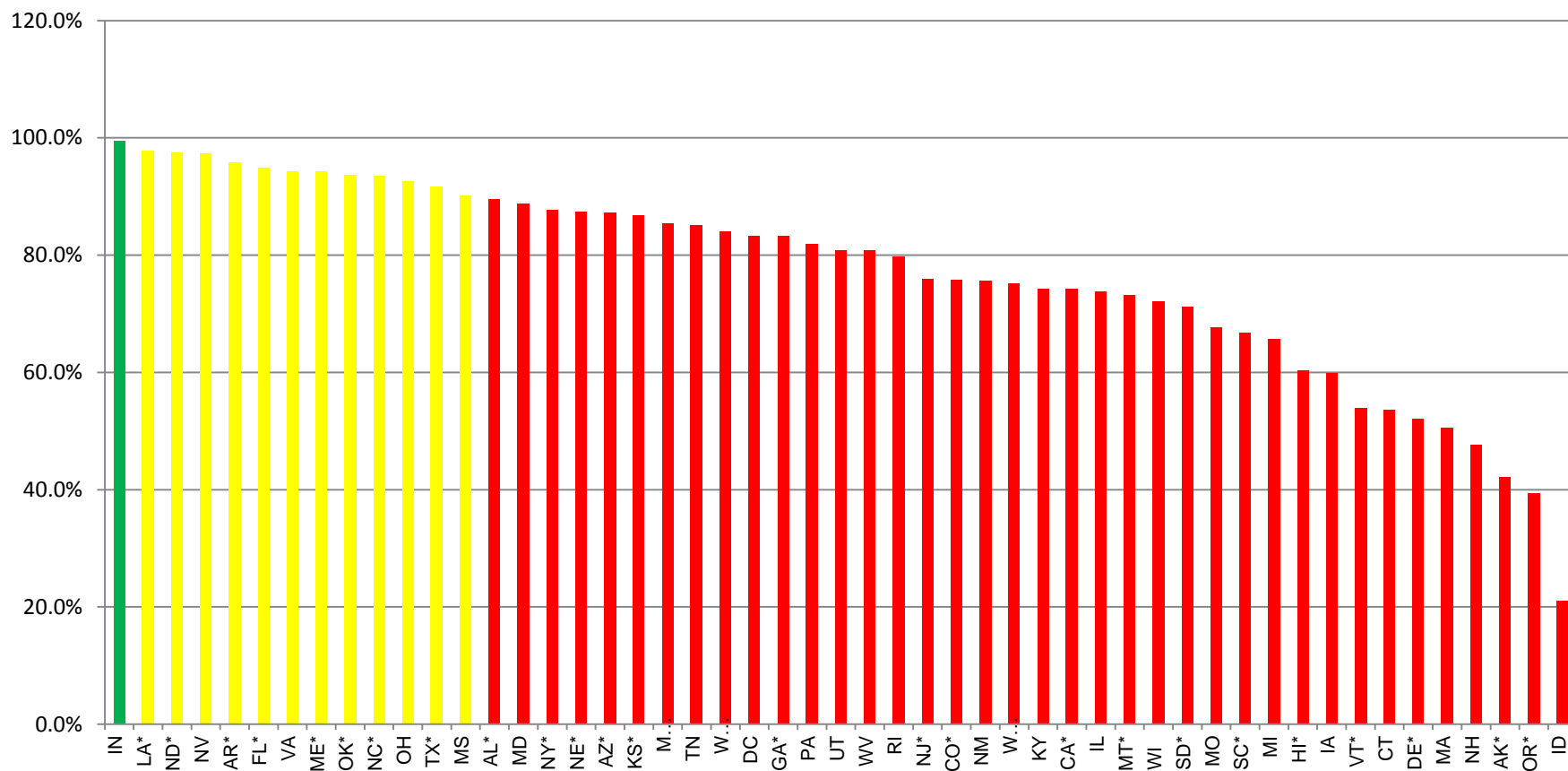
Dollars spent on outside services per year	\$6,179,367	\$0	\$3,447,017
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# Permits--Percent of Statutory Days

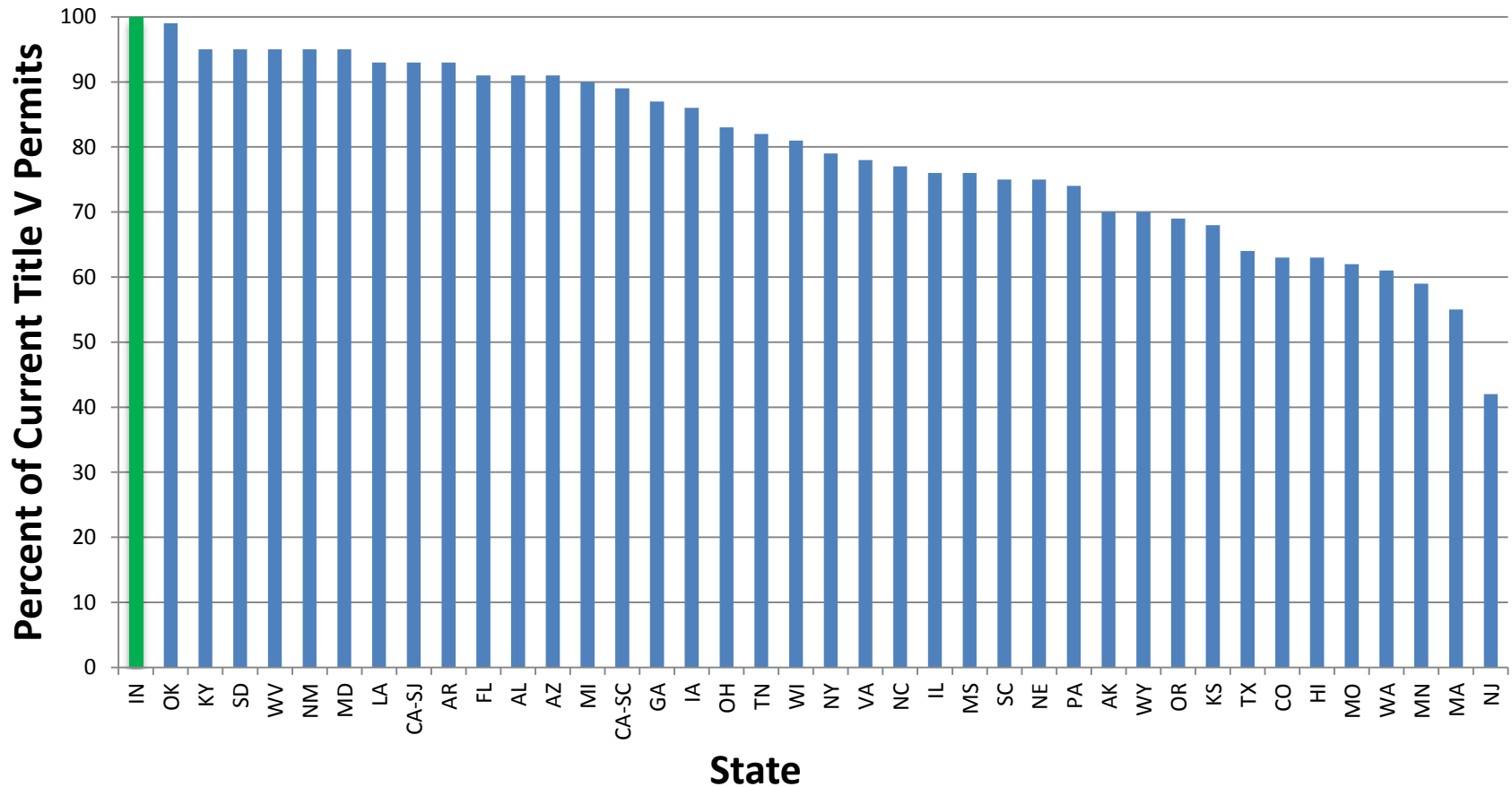


# Indiana is Best in NPDES Permitting

## Total % Current Wastewater Permits



# Indiana is Best in Air Permitting





# **IDEM Inspects Facilities Regularly**

- Full compliance evaluations of Part 70 sources once every two (2) years;
- Full compliance evaluations of all Federally Enforceable State Operating Permits once every five (5) years;
- Inspect all Treatment, Storage and Disposal Facilities every two (2) years;
- Compliance inspections at all Confined Animal Feeding Operations every five (5) years;
- Inspect each underground storage tank once every three (3) years;
- Inspect each major and minor NPDES Permitted facility every two (2) years; and
- Inspect each general permitted facility every four (4) years.

## ***WATCHDOG REPORT:***

***New York and other states have  
fallen far behind schedule in scrutiny  
of Clean Water Act facilities***

“In Indiana, where pollution review rules apparently are observed, **91 percent** of all facilities have been inspected in the last five years. In West Virginia, only 25 percent have been inspected.”



Press and Sun-Bulletin, July 3, 2014.

## Compliance and Technical Assistance

- The Compliance and Technical Assistance Program (CTAP) provides assistance to help Indiana businesses understand and comply with environmental regulations. CTAP is:
  - **Non-Regulatory** – CTAP staff are not regulators and do not have regulatory authority. Therefore, businesses will not be penalized for reporting relevant environmental information to CTAP staff when requesting assistance.
  - **Free and Confidential** – While the CTAP serves as a liaison between the regulatory agencies and businesses, no details about the company working with CTAP is provided to regulators, as the information is protected under Section 507 of the Clean Air Act.
  - **Assistance** – CTAP provides assistance through an on-site visit or via phone and will provide a full compliance review or just target a single issue. It also develops training programs, brochures, and webinars to help businesses understand the state and federal environmental regulations that affect them.
  - **Multi-Media** – While most of the assistance provided is related to air regulations, staff also provides assistance related to water, land and Community Right to Know regulations.
- CTAP provides assistance to businesses that contact it directly, to businesses referred to it by regulatory inspectors or permit writers, and to businesses that CTAP identifies as impacted by new EPA or state regulations.

Contact us if you need assistance

Hotline: 800-988-7901

Email: [CTAP@idem.in.gov](mailto:CTAP@idem.in.gov)

Website: <http://www.in.gov/idem/ctap/>

## Voluntary Recognition Programs for Businesses

Goals: Promote pollution prevention & achieve measurable reduction of pollution in Indiana



- Eligibility contingent on:
  - Good environmental compliance standing
  - Partners Pledge
- Quarterly Networking meetings
- Innovation sharing
- 92 Members
- [partners@idem.in.gov](mailto:partners@idem.in.gov)
- 1-800-988-7901



- Eligibility contingent on:
  - Established Environmental Management System and ISO Certification
  - Good environmental compliance standing
  - Commitment to continuous environmental improvement
- Regulatory Incentives
- 54 Members
- [esp@idem.in.gov](mailto:esp@idem.in.gov)
- 1-800-988-7901

# Voluntary Recognition Program for Communities

Goal: Promote pollution prevention & achieve measurable reduction of pollution in Indiana



Comprehensive  
Local  
Environmental  
Action  
Network

- Eligibility contingent on:
  - Good environmental compliance standing
  - Establishing Environmental Aspects & Initiatives
  - Commitment to continuous environmental improvement
- Participants choose four environmental goals for the four-year program term
- Benefits:
  - State-wide recognition
  - Networking
  - Innovation Sharing
- Currently 18 members

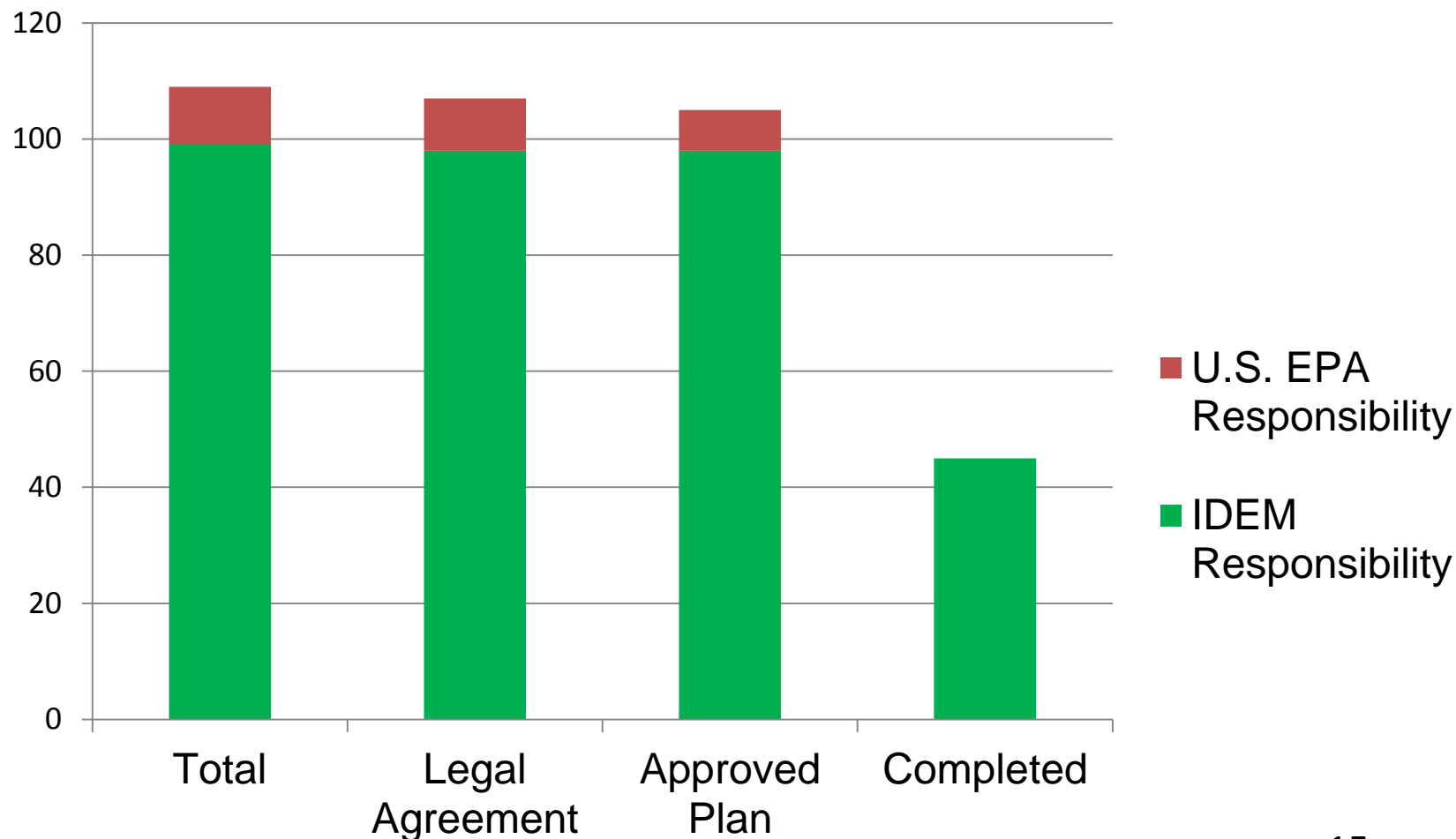
Contact CLEAN Community Challenge at: 1-800-988-7901 or [CLEAN@idem.in.gov](mailto:CLEAN@idem.in.gov)

## Enforcement Statistics:

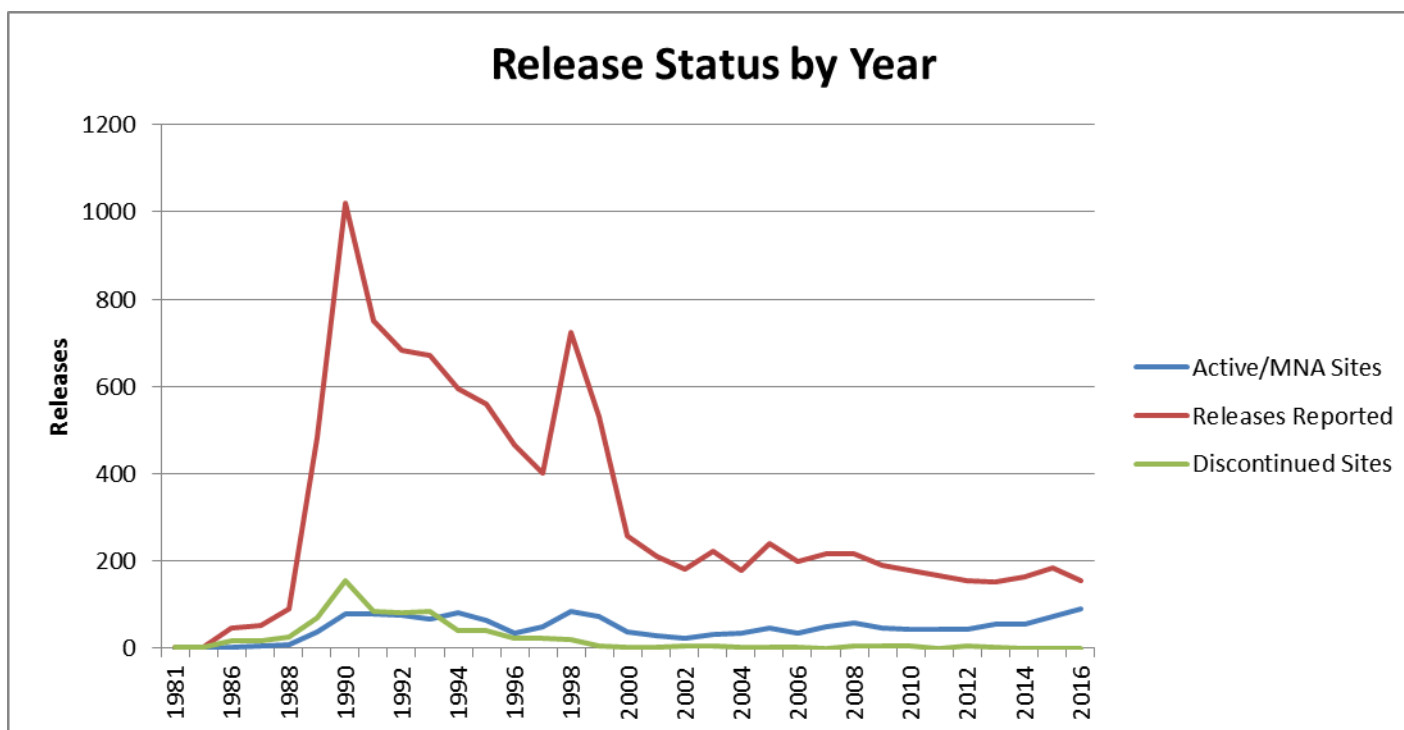
Media	2013	2014	2015
Air	81	117	112
Water	95	84	47
Hazardous Waste	31	34	23
Solid Waste	16	20	22
UST/LUST	12	30	15
CFO	12	23	22
<b>TOTAL</b>	<b>247</b>	<b>308</b>	<b>241</b>

# Water Quality

## Indiana Combined Sewer Overflow Status

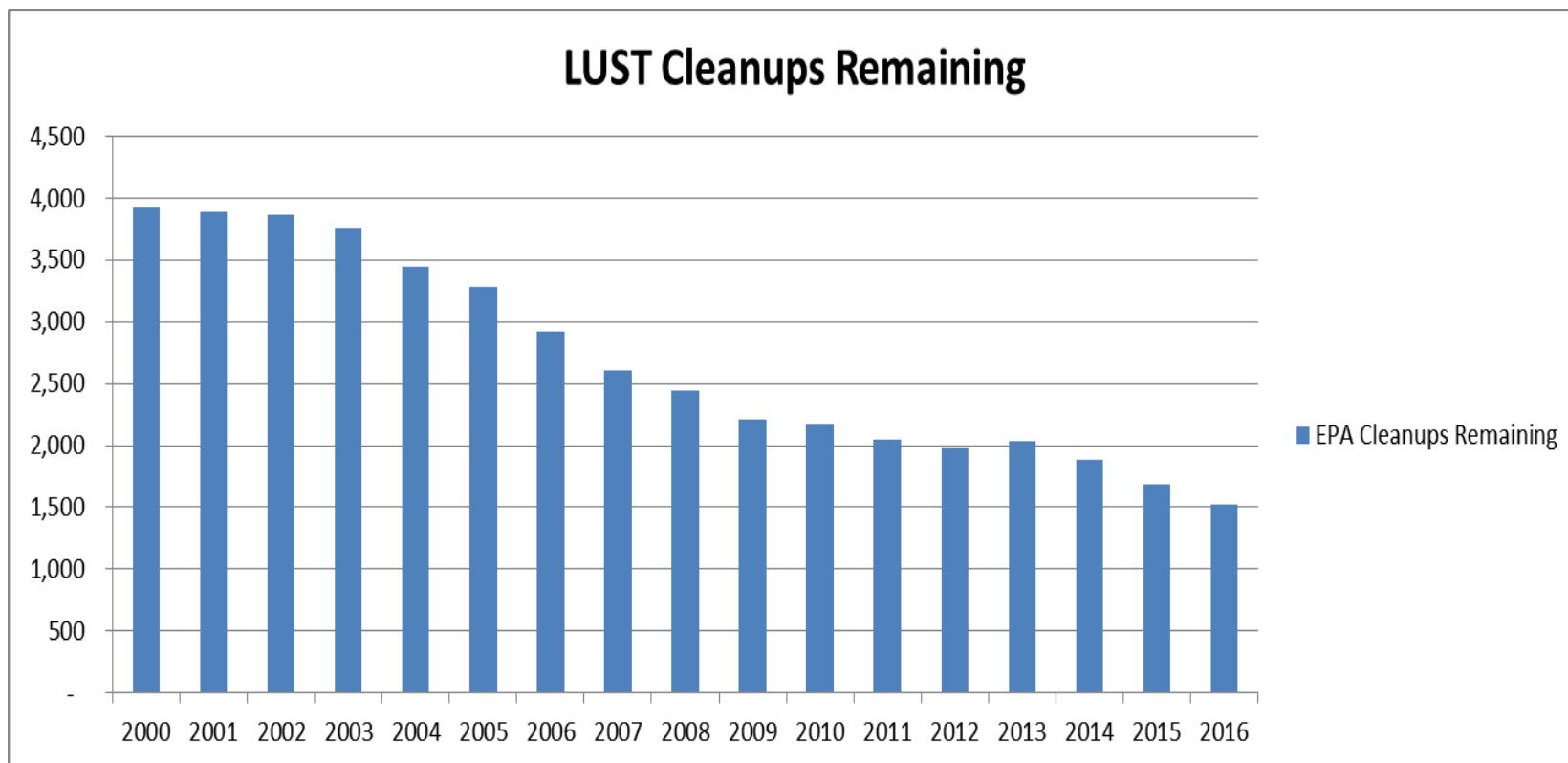


# Petroleum Releases





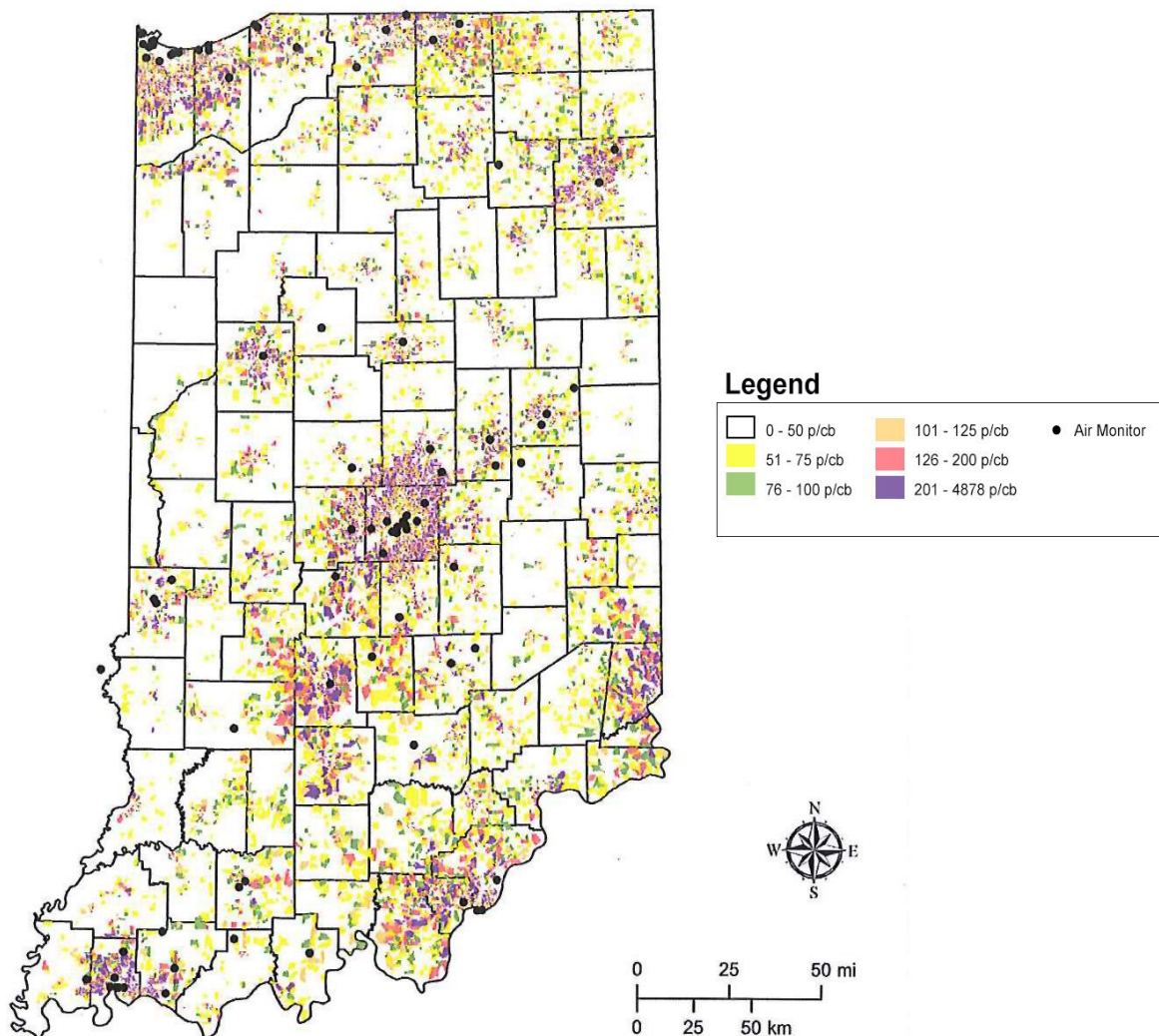
# Petroleum Cleanups Remaining



# Indiana's Air Quality

At the end of 2009, all areas of the State of Indiana met every National Ambient Air Quality Standard in effect for the first time since the NAAQS were established in the 1970s.

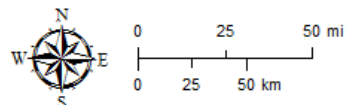
## State Monitoring Network



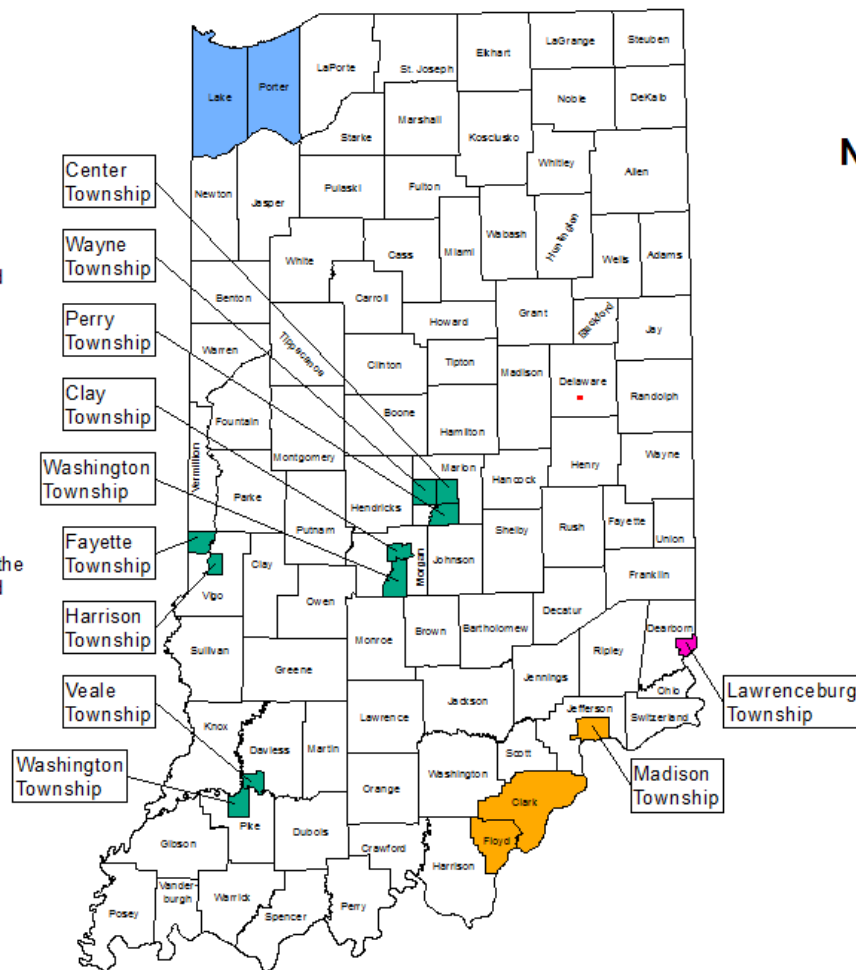
# Current Air Quality

## Legend

- Nonattainment for the 1997 Fine Particle Annual Standard
- Nonattainment for the 2008 Ozone 8-Hour Standard
- Nonattainment for the 2010 SO<sub>2</sub> 1-Hour Standard
- Nonattainment for the 2008 Lead Standard
- Nonattainment for the 2008 Ozone 8-Hour Standard and the 1997 Fine Particle Annual Standard



**Mapped By:** B. Callahan, OAQ  
**Date:** 03/18/2015  
**Source:** IDEM  
**Map Projection:** UTM Zone 16 N  
**Map Datum:** NAD83



**Current  
Nonattainment  
Areas**

# New Ozone Standard

“Based on its review of the air quality criteria for ozone (O<sub>3</sub>) and related photochemical oxidants and national ambient air quality standards (NAAQS) for O<sub>3</sub>, the Environmental Protection Agency (EPA) is revising the primary and secondary NAAQS for O<sub>3</sub> to provide requisite protection of public health and welfare, respectively. The EPA is revising the levels of both standards to 0.070 parts per million (ppm), and retaining their indicators (O<sub>3</sub>), forms (fourth-highest daily maximum, averaged across three consecutive years) and averaging times (eight hours).”

<http://www3.epa.gov/ozonepollution/pdfs/20151001fr.pdf>

(October 1, 2015)

# Clean Power Plan

“The application for a stay submitted to The Chief Justice and by him referred to the Court is granted. The Environmental Protection Agency’s “Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units,” 80 Fed. Reg. 64,662 (October 23, 2015), is stayed pending disposition of the applicants’ petitions for review in the United States Court of Appeals for the District of Columbia Circuit and disposition of the applicants’ petition for a writ of certiorari, if such writ is sought.”

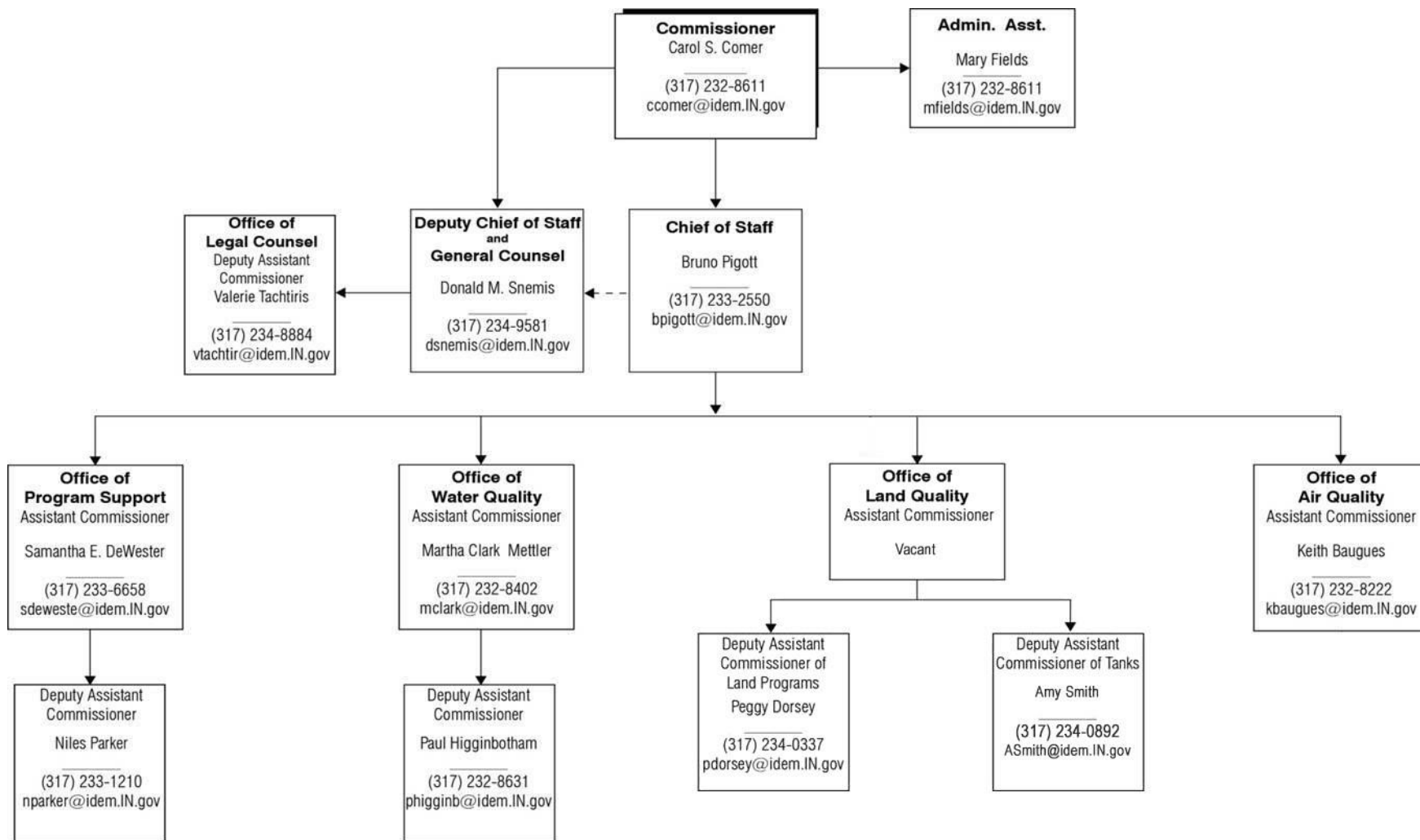
*Murray Energy Corp. et al. v. EPA et al.*, U.S. Supreme Court, February 9, 2016

# Waters of the United States

“Accordingly, on due review of the relevant considerations in light of the briefs filed by petitioners, respondents and intervenors, and in the exercise of our discretion, we GRANT petitioners’ motion for stay. The Clean Water Rule is hereby STAYED, nationwide, pending further order of the court.”

*In re: Environmental Protection Agency and Department of Defense Final Rule; “Clean Water Rule: Definition of the Waters of the United States,” Sixth Circuit District Court, October 9, 2015*

## IDEM Leadership





# Questions?

**Carol S. Comer**  
Commissioner

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